

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re
85 FLATBUSH RHO MEZZ LLC, et al.,¹

Debtors

Case No. 20-23280 (SHL)
Chapter 11

(Jointly Administered)

STIPULATION AND AGREED ORDER

This stipulation (the “Stipulation”) is entered into between TH Holdco LLC (“TH Holdco”) and Greater Shield LLC d/b/a Ground Support Services (“Greater Shield”, and together with the TH Holdco, the “Parties”).

RECITALS

1. On July 6, 2022, the Court entered the *Findings of Fact, Conclusions of Law, and Order Confirming TH Holdco LLC’s Second Amended Chapter 11 Plan, As Modified by This Order* [Docket No. 280] (the “Confirmation Order”), which among other things, confirmed *TH Holdco’s Second Amended Chapter 11 Plan* [Docket No. 211] filed on May 26, 2022 (the “Plan”)², approved the *Purchase and Sale Agreement By and Between 85 Flatbush RHO Hotel, LLC and 85 Flatbush RHO Residential LLC as Sellers and TH Holdco LLC* filed on June 27, 2022 [Docket No. 268] (the “TH Holdco Purchase Agreement”).

2. On December 21, 2022, TH Holdco filed its *Notice of (I) Entry of Order Confirming TH Holdco LLC’s Second Amended Plan, (II) Occurrence Of Effective Date, and (III) Final Deadlines For Filing Certain Claims* [Docket No. 377], which, among other things,

¹ The Debtors (as defined) in these Chapter 11 Cases, along with the last four digits of each Debtor’s federal tax identification number, include: 85 Flatbush RHO Mezz LLC (6184); 85 Flatbush RHO Hotel LLC (5027); and 85 Flatbush RHO Residential LLC (2261).

² Capitalized terms used in this Stipulation but not otherwise defined herein shall have meaning set forth in the Plan.

established February 21, 2023 as the deadline for TH Holdco to file an objection to Greater Shield's claims (the "Claim Objection Deadline").

3. Pursuant to Section 8 of the Plan, the Parties have now agreed to extend the Claim Objection Deadline by an additional week until April 20, 2023 (the "Greater Shield Claim Objection Deadline") to allow the Parties additional time to document the settlement in principle the Parties have reached in this matter.

AGREEMENT

NOW THEREFORE, the Parties to this Stipulation hereby agree and stipulate as follows:

The Greater Shield Claim Objection Deadline will be extended to April 20, 2023.

Dated: April 12, 2022
New York, New York

DENTONS US LLP

/s/ Sarah M. Schrag

Lauren Macksoud

Sarah M. Schrag

DENTONS US LLP

1221 Avenue of the Americas

25th Floor

New York, New York 10020

Telephone: (212) 768-6700

Facsimile: (212) 768-6800

E-mail: lauren.macksoud@dentons.com

sarah.schrag@dentons.com

Robert Richards (admitted *pro hac vice*)

DENTONS US LLP

233 S. Wacker Drive

Suite 5900

Chicago, IL 60606

Telephone: (312) 876-8000

Facsimile: (312) 876-7934

Email: robert.richards@dentons.com

Counsel for TH Holdco LLC

WARSHAW BURSTEIN, LLP

/s/ Martin S. Siegel

Martin S. Siegel

Thomas Filardo

WARSHAW BURSTEIN, LLP

575 Lexington Avenue

New York, NY 10022

Telephone: (212) 984-7806

Fax: (212) 972-9150

*Counsel for Greater Shield LLC d/b/a Ground
Support Services*

Entered: April __, 2023

SO ORDERED: _____
Honorable Sean H. Lane
United States Bankruptcy Judge